

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:01CV36-1-MU

KENNETH D. BOBBITT,

Petitioner,

v.

DEAN WALKER, et al.,

Respondent.

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**ORDER**

**THIS MATTER** comes before the Court upon the Petitioner's Motion to Reconsider, filed August 30, 2005.

On July 11, 2001, this Court dismissed Petitioner's federal habeas petition on the basis that it was untimely. On October 17, 2001, the United State Court of Appeals for the Fourth Circuit affirmed this Court's ruling. Now, after numerous other attempts to change the outcome of his case, Petitioner asks the Court to rule that his federal habeas petition was timely. As stated above, the United States Court of Appeals for the Fourth Circuit has upheld this Court's ruling that Petitioner's federal habeas petition was untimely. This Court lacks jurisdiction to now rule on that issue.

**THEREFORE, IT IS HEREBY ORDERED** that Petitioner's Motion to Reconsider is  
**DENIED.**

Signed: March 14, 2006

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

